

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

MARIE TOOLE and CHRIS)	
TOOLE,)	
)	
Plaintiffs,)	
)	
v.)	CIVIL ACTION NO.
)	2:06cv652-MHT
MATTHEW CHUPP, et al.,)	
)	
Defendants.)	

ORDER

In light of defendants' oral representation that the motion for summary judgment (doc. no. 18) is fully addressed by this court's order granting the motion to dismiss (doc. no. 23), it is ORDERED that the motion for summary judgment (doc. no. 18) is denied as moot.

DONE, this the 30th day of January, 2007.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE